

REMARKS

The interview with examiner Xuan Lan T Nguyen on November 28, 2007 is acknowledged with appreciation. The examiner's interview summary is accurate as to what transpired at the interview.

Claims 1-11 remain canceled without prejudice or disclaimer of the subject matter therein. Claims 15-31 remain withdrawn from consideration. Claims 12, 13, 14 and 17 are amended. New dependent claims 32-40 are added.

Claim 12 is amended as discussed at the interview. The amendment clarifies that the discharging air cools one of the brake pad and brake disc by convection. Claims 12-14 stand rejected over Fuchs (DE 1903437) in view of Ross (U.S. Patent No. 4,440,270). As discussed at the interview neither Fuchs or Ross teach or suggest a brake caliper having the structure as recited in claim 12 wherein discharging air from the cavity cools one of the brake pad and brake disc by convection. In Fuchs the cooling fluid is not air and the cooling fluid flows into and out of a cavity in the brake piston 2 without discharging air to cool one of the brake pad and brake disc by convection. Ross teaches air cooling, but there is no teaching or suggestion to provide discharging air from the cavity in the piston. The suggestion at page 4 of the office action that it would have been obvious to modify Fuchs' cooling system to employ air is noted, however, it is well known that air does not convey heat as readily as liquid and replacing the liquid cooling medium in Fuchs with air would be a step backward (much reduced cooling efficiency) and would not have been an obvious modification to one of ordinary skill.

The specification is amended to clarify that the cooling of the brake disc and/or brake pad is via convection as is clearly evident from the remainder of the specification and drawings.

In view of the above, it is submitted that all of the claims (Nos. 12-14 and new claims 32-40) are in condition for allowance and such action is, respectfully, requested.

If there is any issue remaining to be resolved, the examiner is invited to telephone the undersigned so that resolution can be promptly effected.

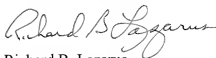
The fee for nine new dependent claims (Nos. 32-40) is authorized to be charged to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 (37742-97114).

A request for continued examination accompanies this amendment.

It is requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response with the fee for such extensions and shortages in other fees, being charged, or any overpayment in fees being credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 (37742-97114).

Respectfully submitted,

BARNES & THORNBURG LLP

A handwritten signature in cursive script, reading "Richard B. Lazarus".

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